



Reg. No. :

Name :

**Ninth Semester B.A. LL.B./B.B.A. LL.B./B.Com. LL.B. (5 Year Integrated)
Degree Examination, March 2018
Paper – I : PRIVATE INTERNATIONAL LAW**

Time : 3 Hours

Max. Marks : 80

PART – I

Explain **any five** of the following. **Each** question carries **2** marks. Answers should **not exceed 50 words each**.

- a. Renvoi.
- b. Mocambique rule.
- c. Domicile of choice.
- d. Legitimation.
- e. Proper law theory.
- f. Stay of action.
- g. Aerial torts. **(5×2=10 Marks)**

PART – II

Answer **any four** of the following. **Each** question carries **4** marks. Answer should **not exceed 120 words**.

- a. Explain the law relating to succession to movables.
- b. Explain the law relating to foreign tort.
- c. Give a brief account of foreign penal laws.
- d. State the general rules relating to domicile.
- e. What is the distinction between formal validity and essential validity of marriage ? **(4×4=16 Marks)**



PART – III

Answer **any four** of the following. **Each** question carries **6** marks.

- a. An English lady left her husband domiciled in England and reached India with the intention of making her house here. Thereafter she files a suit for divorce in an Indian court. Has the Indian court the jurisdiction to entertain it ?
- b. 'X' an Italian national domiciled in India dies leaving movable properties in England. How will the English court distribute the movable property ?
- c. 'X' having an English domicile of origin decides to emigrate to Israel. He goes to Israel and settler down there with the intention of making it his permanent home. He thus acquires a domicile of choice of Israel. After residing there for 20 years, he changes his mind and decides to return to England. After settling all affairs in Israel he boards a jet for the journey back to England. On the way the plane crashes in the open sea resulting in the death of X. Where was X domiciled at the time of his death ? Decide.
- d. A and B, both domiciled in India, entered into a marriage in India. The marriage was potentially polygamous. They later came to England and the husband acquired an English domicile. The husband petitioned before an English court for divorce on the ground of wife's desertion. Decide.
- e. 'X' a testator domiciled in England directed in his Will that certain funds should be held in trust for the benefit of his grand daughter 'Y', for life and after her death in favour of her children. Grand daughter married her deceased husband's brother in New York. Both, the woman 'Y' and her husband were at the time of marriage domiciled in England. The marriage was void by English law, but valid by the law of New York. After they had acquired a domicile of choice in New York a son was born to them. State whether this son could be regarded as the legitimate child of his mother so as to entitle him to the benefit under the Will.

(4×6=24 Marks)

PART – IV

Answer **any three** of the following. **Each** question carries **10** marks.

- a. Explain the successive stages of a case containing foreign element.
- b. Explain the general rules relating to domicile.
- c. Write a note on the recognition of foreign divorce decrees.
- d. Explain the following :
 - a) Ogden V. Ogden.
 - b) Drawbacks of the foreign court theory.
 - c) Doctrine of revival.

(3×10=30 Marks)